

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SCOTT T. BALLOCK,

Plaintiff,

v.

CIVIL ACTION NO. 1:17CV52
(Judge Keeley)

ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M. GASKINS, and
STATE TROOPER CHRIS BERRY,

Defendants.

ORDER FOLLOWING HEARING ON MOTION FOR ATTORNEYS' FEES AND COSTS

During a hearing held on May 15, 2020, the Court heard argument on the pending motion of the State Trooper defendants for attorneys' fees and costs (Dkt. Nos. 165, 170). At the conclusion of the hearing, the Court:

- **DIRECTED** defense counsel to submit an itemized summary of attorneys' fees pursuant to Federal Rule of Civil Procedure 54(d)(2)(C); and
- **DIRECTED** the parties to brief the following questions:
 - (a) Whether the defendants are entitled to an award of attorneys' fees for work performed related to their motion to dismiss (Dkt. No. 15); and
 - (b) Whether the defendants are entitled to an award of attorneys' fees under 28 U.S.C. § 1988 for work performed defending against the plaintiff's state law claims for

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intentional infliction of emotional distress and tortious interference with an employment contract.

Opening briefs are due no later than **Friday, June 5, 2020**. Response briefs are due no later than **Monday, June 15, 2020**. No reply briefs shall be submitted.

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit copies of this Order to counsel of record.

DATED: May 18, 2020

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE